

of canned tomatoes at Tulsa, Okla., alleging that the article had been shipped in interstate commerce on or about November 23, 1935, by the Charles S. Hulsey Canning Co., from Green Forest, Ark., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Raider Tomatoes * * * distributors Griffin Grocery Company * * * Muskogee, Okla."

The article was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department, indicating that it fell below such standard.

On January 13, 1936, the Griffin-Goodner Grocery Co., Tulsa, Okla., having appeared as claimant, judgment was entered finding the product misbranded and ordering that it be released under bond, conditioned that it be relabeled under the supervision of this Department.

W. R. GREGG, *Acting Secretary of Agriculture.*

25764. Adulteration of cranberries. U. S. v. 160 Boxes of Cranberries. Default decree of condemnation and destruction. (F. & D. no. 36926. Sample no. 40866-B.)

This case involved a shipment of cranberries that were in part decomposed.

On January 9, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 160 boxes of cranberries at Astoria, Oreg., alleging that the article had been shipped in interstate commerce on or about November 16 and November 20, 1935, by Rolla Parrish, from Long Beach, Wash., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a decomposed vegetable substance.

On February 11, 1936, no claim having been entered for the cranberries, judgment of condemnation was entered and it was ordered that they be destroyed, and that the boxes be returned to the owner.

W. R. GREGG, *Acting Secretary of Agriculture.*

25765. Adulteration of dried peaches. U. S. v. 250 Cases of Dried Peaches. Decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 36929. Sample no. 46234-B.)

This case involved dried peaches that were in part insect-infested and dirty.

On January 10, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 250 cases of dried peaches at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 17, 1935, by Guggenhime & Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Waldorf Brand California Choice Recleaned Cling Peaches Guggenhime and Company California."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On March 2, 1936, Guggenhime & Co. having appeared as claimant, and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the unfit portion be segregated and destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25766. Misbranding of canned tomatoes. U. S. v. 1,049 Cases of Canned Tomatoes. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 36931. Sample no. 10041-B.)

This case involved canned tomatoes that were substandard and were not labeled to indicate that fact.

On January 14, 1936, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,049 cases of canned tomatoes at Dallas, Tex., alleging that the article had been shipped in interstate commerce on or about October 5, 1935, by the Lick Branch Canning Co., from Green Forest, Ark., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Concho hand-packed tomatoes * * * distributed by Waples Platter Company, Texas."

The article was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since it did not consist of whole or large pieces and was not normally colored, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department, indicating that it fell below such standard.

On March 16, 1936, the Lick Branch Canning Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

25767. Adulteration of canned salmon. U. S. v. Frank E. McConaghy. Plea of guilty. Fine, \$25 and costs. (F. & D. no. 36934. Sample nos. 40480-B, 40501-B.)

This case was based on an interstate shipment of canned salmon, samples of which were found to be putrid, tainted, or stale.

On March 11, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Frank E. McConaghy, alleging shipment by said defendant in violation of the Food and Drugs Act on or about August 7, 1935, from Kukak Bay, Alaska, into the State of Washington, of a quantity of canned salmon which was adulterated.

The article was alleged to be adulterated in that it consisted in part of a decomposed and putrid animal substance.

On March 27, 1936, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

25768. Adulteration of canned salmon. U. S. v. Gus Strand and Roy Jensen (Strand-Jensen Fisheries). Plea of guilty. Fine, \$1 and costs. (F. & D. no. 26935. Sample nos. 40488-B, 40495-B.)

This case was based on an interstate shipment of canned salmon, samples of which were found to be tainted or stale.

On January 27, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Gus Strand and Roy Jensen, copartners trading as the Strand-Jensen Fisheries, alleging shipment by said defendants in violation of the Food and Drugs Act, on or about August 10, 1935, from Cordova, Alaska, into the State of Washington, of a quantity of canned salmon which was adulterated. A portion of the article was labeled: "Bay Beauty Brand * * * Salmon * * * Packed by Washington Fish & Oyster Co. Seattle U. S. A." The remainder of the article was unlabeled.

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On February 29, 1936, the defendants entered a plea of guilty and the court imposed a single fine of \$1 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

25769. Adulteration of crab meat. U. S. v. Isaac T. Tyler and William J. Adams (I. T. Tyler & Co.). Pleas of nolo contendere. Fines, \$100 and costs. (F. & D. no. 36956. Sample nos. 27643-B, 27646-B, 42105-B, 42107-B).

This case involved shipments of crab meat that contained fecal *Bacillus coli*, evidencing the presence of filth.

On March 11, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Isaac T. Tyler and William J. Adams, a partnership trading as I. T. Tyler & Co., Crisfield, Md., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about July 22, July 25, and July 26, 1935, from the State of Maryland into the State of Pennsylvania, and on or about July 25, 1935, from the State of Maryland into the State of New Jersey, of quantities of crab meat that was adulterated.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance, due to pollution by fecal *Bacillus coli*.

On March 27, 1936, the defendants entered pleas of nolo contendere and the court imposed fines totaling \$100 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*